

REMARKS

Claims 6-10, 13, 14, and 16 have been withdrawn. Claims 1, 11, 15 have been amended to clarify the subject matter regarded as the invention. Claims 1-5, 11, 12, and 15 are pending.

The Examiner has rejected claims 1, 11, and 15 under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. The rejection is respectfully traversed. Specifically, claims 1 and 15 as amended recite “adjusting a bid in the online auction by the bid adjustment value set in the configuration interface in the event that the bid adjustment mechanism is actuated,” which produces a useful, concrete, and tangible result in that a bid in an auction is adjusted enabling a comparison to other bids and, in the event that the bid is a winning bid after comparison with the other bids, results in winning the auction. Similarly, claim 11 as amended recites that “upon actuation of the bid adjustment mechanism, a bid in the electronic auction is adjusted by the bid adjustment value,” which produces a useful, concrete, and tangible result in that a bid in an auction is adjusted enabling a comparison to other bids and, in the event that the bid is a winning bid after comparison with the other bids, results in winning the auction. It is therefore believed that claims 1, 11, and 15 are allowable. Further, claims 2-5 depend from claim 1 and claim 12 depends from claim 11 and are therefore believed to be allowable for the same reasons described above.

The Examiner has rejected claims 1, 11, and 15 under 35 USC 102(e) as being anticipated by Dinwoodie. The rejection is respectfully traversed. Dinwoodie discloses:

“A decision is then made by auctioneer 24 at step 86 as to whether the accepted bid was the final asking bid for the lot. If the decision is yes, the process continues to step 100 (FIG. 4). If the bid is not the final asking bid at step 86, the asking bid is incremented in accordance with the predetermined increments established at initialization at step 66. The asking bid is then incremented and display 32 is updated at step 90. Additionally, *the new asking bid can be adjusted in real-time (either by direct input or by adjusting the automatic increments up or down as appropriate) by auctioneer 24 as the bidding approaches the final bid and subsequent close and sale.* ... The process continues as asking bids are incremented and accepted until the auctioneer determines that the final asking bid has been accepted at step 86, and the process continues to step 100 (FIG. 4).”

Dinwoodie does not teach or imply displaying “a bid adjustment mechanism configuration interface including the bid adjustment mechanism that allows *a bidder* to specify an adjustment

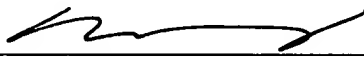
for a bid without entering an amount of the bid” as amended claims 1, 11, and 15 recite. Allowing a bidder to specify an adjustment for a bid is distinct from allowing an auctioneer to adjust bid increments up or down. It is therefore believed that claims 1, 11, and 15 are allowable. Further, claims 2-5 depend from claim 1 and claim 12 depends from claim 11 and are therefore believed to be allowable for the same reasons described above.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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